

as long as it is effective and for at least two years thereafter. An employee hired on or after July 1, 2005, may be required, as a condition of employment, to participate in direct deposit of the employee's wages in a financial institution of the employee's choice unless any of the following conditions exist:

Sec. 2. Section 91A.3, subsection 3, paragraph b, Code Supplement 2007, is amended to read as follows:

b. If the employer fails to ~~send pay~~ an employee's wages ~~for direct deposit~~ on or by the regular payday in accordance with this subsection, the employer is liable for the amount of any overdraft charge if the overdraft is created on the employee's account because of the employer's failure to ~~send pay~~ the wages on or by the regular payday. The overdraft charges may be the basis for a claim under section 91A.10 and for damages under section 91A.8.

Approved May 7, 2008

CHAPTER 1137

WORKERS' COMPENSATION BENEFITS — SETTLEMENTS AND EMPLOYER SURCHARGES

S.F. 2303

AN ACT relating to workers' compensation provisions for continued medically related benefits in certain settlements of workers' compensation claims and to funding of the second injury fund and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.35, Code 2007, is amended by adding the following new subsection:
NEW SUBSECTION. 5A. The parties to any settlement made pursuant to this section may agree that the employee has the right to benefits pursuant to section 85.27 under such terms and conditions as agreed to by the parties in the settlement, for a specified period of time after the settlement has been approved by the workers' compensation commissioner. During that specified period of time, the commissioner shall have jurisdiction of the settlement for the purpose of adjudicating the employee's entitlement to benefits provided for in section 85.27 as agreed upon in the settlement.

Sec. 2. Section 85.65A, subsection 5, Code 2007, is amended by striking the subsection.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 7, 2008

CHAPTER 1138**MERCURY-CONTAINING LAMPS RECYCLING STUDY***S.F. 2321*

AN ACT relating to the recycling of mercury-containing lamps by providing for a study.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **MERCURY-CONTAINING LAMPS RECYCLING PROGRAM STUDY.**

1. The department of natural resources shall conduct a study on and make recommendations for the implementation and financing of a convenient and effective mercury-containing lamp recycling program. The department shall submit a report containing the recommendations to the general assembly by January 1, 2009.

2. The department shall consult with stakeholders including persons who represent retailers of mercury-containing lamps, waste haulers, mercury-containing lamp recyclers, mercury-containing lamp manufacturers, cities, counties, environmental organizations, public interest organizations, and other interested parties that have a role or interest in the recycling of mercury-containing lamps.

3. In conducting the study, the department shall assess potential methods for establishing and financing a convenient and effective statewide recycling program for mercury-containing lamps. The assessment includes but is not limited to all of the following:

- a. The recycling challenges unique to rural and urban areas.
 - b. The involvement of mercury-containing lamp manufacturers.
 - c. The various methods of financing recycling programs for mercury-containing lamps.
 - d. The various methods to encourage the return of mercury-containing lamps for recycling.
 - e. The impact of different recycling approaches on local governments, nonprofit organizations, waste haulers, and other stakeholders.
 - f. The existing recycling infrastructure that could be used for mercury-containing lamp recycling.
 - g. Information obtained from existing mercury-containing lamp recycling programs.
4. The department shall also describe in the report what improvements could be achieved through voluntary efforts by stakeholders and what efforts would require legislation or the adoption of rules to implement a statewide recycling program for mercury-containing lamps.

Approved May 7, 2008

CHAPTER 1139**LIABILITY INSURANCE COVERAGE FOR FAIRS***S.F. 2337*

AN ACT relating to the purchase of liability insurance and to self-insurance by the association of Iowa fairs.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 87.4, Code 2007, is amended to read as follows:

87.4 GROUP AND SELF-INSURED PLANS — TAX EXEMPTION — PLAN APPROVAL.

For the purpose of complying with this chapter, groups of employers by themselves or in an